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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

COMPLAINT

- against -

Case No. 21-MJ-624

ALI ALAHERI,

(18 U.S.C. § 844(i))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MICHAEL PRITCHETT, being duly sworn, deposes and states that he is a Task Force Officer with the Bureau of Alcohol, Tobacco and Firearms, duly appointed according to law and acting as such.

On or about May 19, 2021, within the Eastern District of New York, the defendant ALI ALAHERI did knowingly, intentionally and maliciously damage and destroy, and attempt to damage and destroy, by means of fire a building or other real and personal property used in interstate and foreign commerce and in an activity affecting interstate and foreign commerce, to wit: the building located at 1128 36th Street, Brooklyn, New York, 11218.

(Title 18, United States Code, Section 844(i))

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I have been a Task Force Officer with the Bureau of Alcohol, Tobacco and Firearms (“ATF”) for approximately one and a half years and a Fire Marshal with the Fire Department of New York City (the “FDNY”) for approximately five years. I have been involved in the investigation of numerous cases involving arson and the use of fire and explosives. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file; and from reports of other law enforcement officers involved in the investigation.

2. On or about May 19, 2021, at approximately 4:08 a.m., a fire alarm at a building located at 1128 36th Street, Brooklyn, New York 11218 (the “Building”) alerted the FDNY to a fire at the Building. The FDNY responded and put out the fire.

3. Surveillance cameras in the vicinity of the Building captured an individual later identified as the defendant ALI ALAHERI piling numerous garbage bags against the door of the Building. The perpetrator then lit several of the garbage bags on fire. I have reviewed the relevant surveillance video footage and based on my training and experience and based on the manner in which ALAHERI piled the garbage bags against the door of the Building, I submit that there is probable cause to believe that he lit the fire with the intention of causing the fire to damage or destroy the Building.

4. The Building is a Yeshiva, or a Jewish school, and a synagogue. Students, including students from outside of New York State, pay tuition to attend the Yeshiva.

5. As a result of the fire, the Building sustained damage.

6. I have reviewed surveillance footage from the blocks surrounding the Building, which include images of a person I recognize as the defendant ALI ALAHERI approaching the vicinity of the Building on May 18, 2021, at approximately 10:30 p.m. I

recognize ALAHERI in the surveillance footage based on my review of photographs of ALAHERI in the New York City Police Department ("NYPD") databases. ALAHERI is wearing a gray hooded sweatshirt, black shorts with distinctive gray markings and a red backpack. He is barefoot, but is carrying white sneakers. ALAHERI can be seen entering a vehicle parked at an autobody shop (the "Vehicle") located next to the Building. The Vehicle does not belong to ALAHERI.

7. Over the course of the evening of May 18, 2021, and the morning of May 19, 2021, the defendant ALI ALAHERI can be seen exiting and entering the Vehicle. Except when he is inside the Vehicle, ALAHERI remains visible on surveillance video footage between May 18, 2021, at approximately 10:30 p.m. until May 19, 2021, shortly after 9:00 a.m. He is consistently wearing a gray sweatshirt, but he changes between what appear to be blue sweatpants, khaki pants and the black shorts described above.

8. The perpetrator seen setting fire to the garbage bags lined against the Building is wearing a gray hooded sweatshirt and blue sweatpants.

9. At approximately 9:03 a.m. on May 19, 2021, the defendant ALI ALAHARI exited the Vehicle wearing a grey hooded sweatshirt, black shorts with the distinctive gray markings and white sneakers. Blue sweatpants, khaki pants and a red backpack were recovered by law enforcement from the Vehicle later that same day. The Vehicle's owner confirmed that those items do not belong to him/her.

10. Moments after exiting the Vehicle, the defendant ALI ALAHERI can be seen on surveillance footage punching a Jewish man multiple times in the head with no provocation or prior interaction. The man, who was sitting in front of an autobody shop on the same block as the Building, was wearing traditional Hasidic clothing. After the assault,

ALAHERI can be seen jumping over a fence into an alleyway less than two blocks away from the Building and the assault.

11. Shortly thereafter, a layperson observed someone climbing over a fence from that same alleyway with a bicycle, which I have learned was stolen (the “Stolen Bicycle”). That layperson took photographs of the Stolen Bicycle and of the person carrying the Stolen Bicycle. The person with the Stolen Bicycle appears to be the defendant ALI ALAHERI and he is wearing a gray hooded sweatshirt, black shorts with the distinctive gray markings and white sneakers. Surveillance footage from the surrounding area also shows a person who I recognize as ALAHERI riding the Stolen Bicycle away from the area where it was stolen.

12. On May 19, 2021, at approximately 9:58 a.m., the defendant ALI ALAHERI was stopped by NYPD officers in Prospect Park and issued a summons for riding a bicycle in the wrong direction along a bike path (the “Summons”). The encounter is captured on body worn camera footage. ALAHERI is wearing a grey hooded sweatshirt, black shorts with the distinctive gray markings and white shoes. The bicycle appears to be the Stolen Bicycle, and the owner of the Stolen Bicycle has identified it as his/hers based on the video footage.

13. The defendant ALI ALAHERI provided the officers with two forms of identification – an electronic benefits card (“EBT Card”) and a New York State identification – both bearing ALAHERI’s name and photograph.

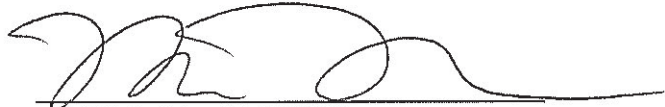
14. I have reviewed the body worn camera footage and recognize the defendant ALI ALAHERI based on a comparison to photographs in NYPD databases.

15. On or about May 21, 2021, an individual used an EBT Card in the defendant ALI ALAHERI’s name at a store in New York. Surveillance video footage from the

store shows that individual was wearing a gray hooded sweatshirt, black shorts with the distinctive gray markings and white shoes.

16. On or about May 21, 2021, the defendant ALI ALAHERI was apprehended by Dobbs Ferry police officers in Dobbs Ferry, New York, and was subsequently arrested by NYPD officers in connection with the above-described conduct. At the time of the arrest, ALAHERI was in possession of a bicycle that appears to be the Stolen Bicycle. He was wearing a gray hooded sweatshirt, black shorts with the distinctive gray markings and white sneakers. He had the Summons in his pocket.

WHEREFORE, your deponent respectfully requests that the defendant ALI ALAHERI, be dealt with according to law.



MICHAEL PRITCHETT

Task Force Officer, Bureau of Alcohol, Tobacco
and Firearms

Sworn to before me by telephone this
21st day of May, 2021



THE HONORABLE RAMON E. REYES, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK